Writ Petition No. 771(S/S) of 2003

Ashish Dandha

…….. Petitioner

Vs.

Govind Ballabh Pant University

…….. Respondent

Hon'ble M. M. Ghildiyal J.

Heard Sri A.N.Sharma learned counsel for the petitioner and Sri Rajendra Dobhal learned counsel for respondent.

The petitioner has filed this writ petition with a prayer that the respondent be directed not to evict the petitioner from the residence which was allotted to his father and mother. The father of the petitioner has expired long back in the year 1985. Thereafter his mother has also been retired from the University. During the employment she was allotted the present accommodation.

The submission of the petitioner is that he has applied for appointment under dying-in-harness rules. However, the appointment has not been made as yet. The petitioner has filed a claim under Section 4(k) of U.P. Industrial Disputes Act, 1947 which is still pending and as such till he is appointed under dying-in-harness rules he may not be evicted. The submission of the petitioner is misconceived and cannot be accepted.

The writ petition is dismissed. No order as to costs.

August 04, 2003.
MPS

(M. M. Ghildiyal, J.)